

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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IN RE	:	Chapter 9
	:	
City Of Detroit, Michigan,	:	Case No. 13-53846
	:	
DEBTOR	:	Hon. Thomas J. Tucker
-----X	:	

**STIPULATION TO WITHDRAW CLAIM NO. 3646 FILED BY
CONSOLIDATED RAIL CORPORATION**

Consolidated Rail Corporation (“Conrail”) and the City of Detroit, Michigan (the “Debtor”), by and through their undersigned counsel, state as follows in support of the entry of the *Order Withdrawing Claim No. 3646* attached hereto as **Exhibit 1**.

1. On November 21, 2013, Norfolk Southern Corporation (“Norfolk Southern”) filed two claims in the case, Claim Nos. 142 and 143 (collectively the “Norfolk Southern Claims”), which included various invoices to the City from Norfolk Southern and Conrail.

2. On March 17, 2014, Conrail filed a proof of claim [Claim No. 3646] (the “Claim”). The Claim was based on the same invoices which had been included in the Norfolk Southern Claims.

3. On September 24, 2015, the City objected to the Claim as late-filed, duplicative of the Norfolk Southern Claims, and partially satisfied [Docket No. 10202].

4. Upon discussion between the parties, Conrail has agreed that the Claim is duplicative of the Norfolk Southern Claims and has agreed to withdraw it.

WHEREFORE the parties respectfully request that the Court enter an order in the form attached hereto as **Exhibit 1** approving the stipulation.

Respectfully submitted by:

FOLEY & LARDNER, LLP	CONSOLIDATED RAIL CORPORATION
By: <u>/s/Tamar N. Dolcourt</u> John A. Simon (P61866) Tamar N. Dolcourt (P73425) 500 Woodward Ave., Ste. 2700 Detroit, MI 48226 Phone: (313) 234-7100 jsimon@foley.com tdolcourt@foley.com <i>Counsel to the Debtor, City of Detroit Michigan</i> Dated: October 22, 2015	By: <u>/s/ John K. Enright (w/consent)</u> John K. Enright, Esq. 1717 Arch Street, 13 th Floor Philadelphia, PA 19103 Phone: (215) 209-5012 John.Enright@conrail.com <i>Counsel to Consolidated Rail Corporation</i>